

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

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JULIA DETWEILER, individually  
and as successor-in-interest  
to decedent Nicholas  
Detweiler,

Plaintiff,

v.

CITY OF MOUNT SHASTA;  
JEREMIAH CAPURRO; NATIONAL  
RAILROAD PASSENGER  
CORPORATION; BRUCE GARRETT;  
and DOES 1 through 10,  
inclusive,

Defendants.

No. 2:24-cv-03100 WBS SCR

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STATUS (PRETRIAL SCHEDULING) ORDER

After reviewing the parties' Joint Status Report, the court hereby vacates the Status (Pretrial Scheduling) Conference scheduled for May 5, 2025, and makes the following findings and orders without needing to consult with the parties any further.

1 I. SERVICE OF PROCESS

2 All defendants have been served, and no further service  
3 is permitted without leave of court, good cause having been shown  
4 under Federal Rule of Civil Procedure 16(b).

5 II. JOINDER OF PARTIES/AMENDMENTS

6 No further joinder of parties or amendments to  
7 pleadings will be permitted except with leave of court, good  
8 cause having been shown under Federal Rule of Civil Procedure  
9 16(b). See Johnson v. Mammoth Recreations, Inc., 975 F.2d 604  
10 (9th Cir. 1992).

11 III. JURISDICTION/VENUE

12 There is federal question jurisdiction pursuant to 28  
13 U.S.C. § 1331, because plaintiff asserts claims under 42 U.S.C. §  
14 1983. Venue is undisputed and hereby found to be proper.

15 IV. DISCOVERY

16 The parties agree to serve the initial disclosures  
17 required by Federal Rule of Civil Procedure 26(a)(1) on or before  
18 **May 8, 2025**.

19 The parties shall disclose experts and produce reports  
20 in accordance with Federal Rule of Civil Procedure 26(a)(2) by no  
21 later than **June 26, 2026**. With regard to expert testimony  
22 intended solely for rebuttal, those experts shall be disclosed  
23 and reports produced in accordance with Federal Rule of Civil  
24 Procedure 26(a)(2) on or before **July 24, 2026**.

25 All discovery, including depositions for preservation  
26 of testimony, is left open, save and except that it shall be so  
27 conducted as to be completed by **August 21, 2026**. The word  
28 "completed" means that all discovery shall have been conducted so

1 that all depositions have been taken and any disputes relevant to  
2 discovery shall have been resolved by appropriate order if  
3 necessary and, where discovery has been ordered, the order has  
4 been obeyed. All motions to compel discovery must be noticed on  
5 the magistrate judge's calendar in accordance with the local  
6 rules of this court and so that such motions may be heard (and  
7 any resulting orders obeyed) not later than **August 21, 2026**.

8 V. RELATED CASE

9 This matter is related to Garrett v. City of Mount  
10 Shasta, 2:25-cv-00420 WBS SCR. (See Docket No. 9.) The parties  
11 in the instant matter requested that the two actions share the  
12 same discovery schedule.

13 If the parties in the related matter want the court to  
14 order the same discovery schedule set out above, they are  
15 directed to file a stipulation to that effect in the related  
16 case. If the parties agree to otherwise modify the discovery  
17 schedule in the two related cases, they may also do so via  
18 stipulation, so long as the pretrial conference and trial dates  
19 in either of the cases are not affected.

20 VI. MOTION HEARING SCHEDULE

21 All motions, except motions for continuances, temporary  
22 restraining orders, or other emergency applications, shall be  
23 filed on or before **October 16, 2026**. All motions shall be  
24 noticed for the next available hearing date. Counsel are  
25 cautioned to refer to the local rules regarding the requirements  
26 for noticing and opposing such motions on the court's regularly  
27 scheduled law and motion calendar.

1 VII. FINAL PRETRIAL CONFERENCE

2 The Final Pretrial Conference is set for **January 11,**  
3 **2027**, at 1:30 p.m. in Courtroom No. 5. The conference shall be  
4 attended by at least one of the attorneys who will conduct the  
5 trial for each of the parties and by any unrepresented parties.

6 Counsel for all parties are to be fully prepared for  
7 trial at the time of the Pretrial Conference, with no matters  
8 remaining to be accomplished except production of witnesses for  
9 oral testimony. Counsel shall file separate pretrial statements,  
10 and are referred to Local Rules 281 and 282 relating to the  
11 contents of and time for filing those statements. In addition to  
12 those subjects listed in Local Rule 281(b), the parties are to  
13 provide the court with: (1) a plain, concise statement which  
14 identifies every non-discovery motion which has been made to the  
15 court, and its resolution; (2) a list of the remaining claims as  
16 against each defendant; and (3) the estimated number of trial  
17 days.

18 In providing the plain, concise statements of  
19 undisputed facts and disputed factual issues contemplated by  
20 Local Rule 281(b) (3)-(4), the parties shall emphasize the claims  
21 that remain at issue, and any remaining affirmatively pled  
22 defenses thereto. If the case is to be tried to a jury, the  
23 parties shall also prepare a succinct statement of the case,  
24 which is appropriate for the court to read to the jury.

25 VIII. TRIAL SETTING

26 The jury trial is set for **March 9, 2027** at 9:00 a.m.  
27 The parties estimate that the trial will last 5 to 7 days.  
28

IX. SETTLEMENT CONFERENCE

A Settlement Conference with a magistrate judge will be set at the time of the Pretrial Conference. Counsel are instructed to have a principal with full settlement authority present at the Settlement Conference or to be fully authorized to settle the matter on any terms. At least seven calendar days before the Settlement Conference counsel for each party shall submit a confidential Settlement Conference Statement for review by the settlement judge. The Settlement Conference Statements shall not be filed and will not otherwise be disclosed to the trial judge.

X. MODIFICATIONS TO SCHEDULING ORDER

Any requests to modify the dates or terms of this Scheduling Order, except requests to change the date of the trial, may be heard and decided by the assigned Magistrate Judge. All requests to change the trial date shall be heard and decided only by the undersigned judge.

IT IS SO ORDERED.

Dated: April 30, 2025



**WILLIAM B. SHUBB**  
**UNITED STATES DISTRICT JUDGE**